d.) Remarks

Claim 6 is amended for better format since it is understood that, for instance, leukemia is not a tumor. Claim 9 is added in conformity therewith, and the dependencies of claims 7 and 8 corrected thereunder. Additionally, claims 10-26 are added simply in order to recite various preferred embodiments of the present invention. No new matter is added.

At the outset, Applicants would like to thank the Examiner for the courtesies extended to their representatives during the Examiner Interview of February 11, 2003.

During the Interview, the Examiner reported that his SPE would now require imposition of a Restriction Requirement in this case. In particular, following discussion, the Examiner agreed that a proper Restriction Requirement would be formulated as follows:

Group I, where none of R^1, R^2 or R^3 are heterocyclic;

Group II, at least one of R^1, R^2 or R^3 is 5-membered ring heterocyclic;

Group III, at least one of R^1, R^2 or R^3 is 6-membered ring heterocylic;

Group IV, all other compounds.

In response to the Examiner's indication and as agreed during the interview so as to expedite prosecution herein, Applicants are treating this representation as an oral Restriction Requirement and are, accordingly, hereby electing to prosecute the invention of Group III, without traverse. Claim 1 and the Abstract have both been amended above in conformity with this election. Confirmation of the Restriction Requirement, and acknowledgment of Applicants' election thereunder, are respectfully requested in the next Patent Office communication.

The specification is objected to under 35 U.S.C. §112, first paragraph, since the Examiner contends Applicants are claiming a method of prevention, for example,

subarachnoid hemorrhage, Parkinson's disease, Alzheimer's disease or AIDS.

In response, during the Interview, Applicants pointed out to the Examiner that they do not claim such methods.

During the Examiner Interview, the Examiner agreed it was clear from the record, including the Declarations under Rule 132[1/], et al the elected compounds exhibit inhibitory activity against both colon and pancreatic cancers. As to other disparate concerns, the Examiner noted the showings of record were *in vitro*, and asked for clarification explaining why such showings would be accepted by those of ordinary skill as being a good model for *in vivo* activity.

In response, concerning Applicants' previously-submitted Soga Declaration (showing the *in vitro* treatment of leukemia using K562 cells), enclosed to complete the record[2/] are two literature references which clearly describe conventional *in vitro* use of K562 cells as models for *in vivo* activity. Accordingly, it is apparent such cells are widely utilized *in vitro* by those of ordinary skill in this art for assaying the efficacy of small molecules against leukemia *in vivo*.

In view of the above amendments and remarks, Applicants submit that all of the Examiner's concerns are now overcome and the claims are now in allowable condition. Accordingly, reconsideration and allowance of this application is earnestly solicited.

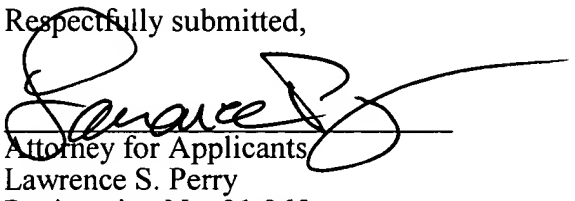
Claims 1-26 remain presented for continued prosecution.

1/ For instance, Test Example 2 at specification pages 33 et seq. provides results of an *in vivo* test of activity against colon cancer, as acknowledged by the Examiner.

2/ For the Examiner's convenience, the references are identified on the enclosed form PTO-1449.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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